

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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U.S. COMMODITY FUTURES TRADING :
COMMISSION, :

Plaintiff, :

-v.- :

ERIC MONCADA et al., :

Defendants. :
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ORDER

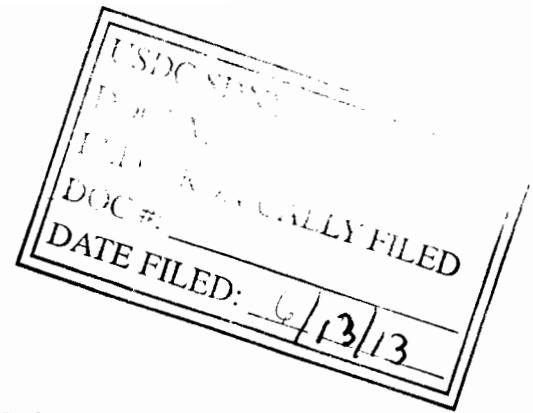
12 Civ. 8791 (CM) (GWG)

GABRIEL W. GORENSTEIN, UNITED STATES MAGISTRATE JUDGE

GABRIEL W. GORENSTEIN, United States Magistrate Judge

1. The above-referenced action has been referred to this Court for discovery disputes.
2. All discovery (including requests for admissions) must be initiated in time to be concluded by the deadline for all discovery. All applications to the Court must comply with this Court's Individual Practices, which are available through the Clerk's Office or at: <http://www.nysd.uscourts.gov/judge/Gorenstein>
3. Discovery motions -- that is, any application pursuant to Rules 26 through 37 or 45 -- not only must comply with ¶ 2.A. of the Court's Individual Practices but also must be made promptly after the cause for such a motion arises. In addition, absent extraordinary circumstances no such application will be considered if made later than 30 days prior to the close of discovery. Untimely applications will be denied.
4. Any application for an extension of the time limitations with respect to any deadlines in this matter must be made to Judge McMahon.
5. A telephone conference to discuss the discovery dispute raised in the letter dated June 12, 2013, will take place on June 19, 2013, at 3:30 p.m. A few minutes prior to this time, counsel for plaintiff is directed to call all other parties and then place a call to the Court at (212) 805-4260 with all parties on the line.¹ Counsel should not use a speakerphone during the call. Upon receipt of this order each attorney or unrepresented party is directed to ensure that all other attorneys or unrepresented parties on the case are aware of the conference date and time. The parties should follow paragraph 1. F of this Court's Individual Practices (available at: www.nysd.uscourts.gov/judge/Gorenstein) for any request for an adjournment. It is the Court's

¹ If the call is arranged through a commercial communications service, counsel arranging the call may telephone chambers at the time of the conference and inform chambers of the telephone number and access code that may be used to dial into the call.



intention to decide the dispute based on the parties' letters unless a party shows good cause in advance of the conference why formal briefing should be required. Pursuant to paragraph 2.A of this Court's Individual Practices, defendant's response to the June 12, 2013 letter is due June 14, 2013.

SO ORDERED.

Dated: June 13, 2013
New York, New York


GABRIEL W. GORENSTEIN
United States Magistrate Judge